

FILED

AO 91 (Rev. 11/11) Criminal Complaint

JUN 29 2016

UNITED STATES DISTRICT COURT

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXASBY [Signature] DEPUTY CLERK

for the

Western District of Texas, Pecos Div.

United States of America

v.

See Attached

Defendant(s)

Case No. P: 16-M-1345 (DF)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 6/27/2016 in the county of Presidio in the
Western District of Texas, the defendant(s) violated:

Code Section

Offense Description

Title 21 USC Section 841 (a)(1) and Title
18 USC (2).Aided and Abetted by others, Knowingly
and Intentionally Possessed with Intent
to Distribute Marijuana (Approximately
61.0 pounds/27.7 kilograms).

This criminal complaint is based on these facts:

See Attachment:

CRIMINAL COMPLAINT
APPROVED BY
U.S. ATTORNEY☒ Continued on the attached sheet.[Signature]

Complainant's signature

Justin Millican, Task Force Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 6/29/2016City and state: Alpine, Texas[Signature]

Judge's signature

David B. Fannin, US Magistrate Judge

Printed name and title

ATTACHMENT

DEFENDANTS:

Jilda Luz TREVINO
Isai Angel SUSTAITA
Sandra Annette MARTINEZ

FACTS:

On June 27, 2016, Border Patrol Agent (BPA) Steven Rose was notified of a concerned citizens report of seeing a green sports utility vehicle (SUV) loading up a tire near Alamito Creek at approximately 2:45 P.M. BPA Rose began driving east on FM 170 from Fort Leaton in his marked Border Patrol vehicle toward Alamito Creek looking for the described vehicle. Approximately one mile east of Fort Leaton he observed a green SUV similar to the one describe traveling westbound into Presidio. BPA Rose observed the driver and passengers of the vehicle were sitting rigidly in their seats and staring straight ahead as if they were very nervous.

Due to the proximity to the border in a known human and drug smuggling area, as well as observed nervous behavior, and the vehicle matching the description provided by the caller, BPA Rose turned around and started following the SUV west toward Presidio. BPA Rose initiated a vehicle stop on the Pontiac Aztec at 2:53P.M.

Upon approaching the vehicle BPA Rose observed three occupants inside, later identified as Jilda Luz TREVINO (driver), Sandra Annette MARTINEZ (passenger), and Isai Angel SUSTAITA (passenger). BPA Rose observed a spare tire in the rear of the vehicle that was partially obscured by a blanket while approaching the SUV. BPA Rose then proceeded to the front window of the SUV and identified himself as a United States Border Patrol Agent and questioned the occupants of the vehicle as to their citizenship. During questioning, BPA Rose noticed that the Jilda TREVINO's hands were shaking as she produced her identification.

At approximately 2:55 P.M. Border Patrol Intel Helio Franco asked for and was granted consent to search the vehicle. A search of the SUV's trunk area revealed that the spare tire BPA Rose initially observed was not the proper size to fit the Pontiac Aztec. In addition the tire was wet and muddy which is consistent with a tire that had been drug or rolled across the river. As air from the tire was released, the odor of marijuana could be smelled.

All subjects were advised of their rights by BPA Alberto Mora and transported to the Presidio Border Patrol Station for processing.

Task Force Agent (TFA) Justin Millican and Task Force Officer (TFO) Douglas McIntyre from the Alpine Drug Enforcement Administration (DEA) Office responded to assist with the investigation. All subjects were read their Miranda Rights in the English language and acknowledged that they understood their rights. All subjects waived their Miranda Rights and said they would speak with the agents without the presence of an attorney.

During the investigation all three subjects admitted to picking up the spare tire that contained marijuana on FM 170 east of Presidio, Texas. All three stated that a Hispanic male flagged them down on FM 170 by waving his cap and they pulled over and he loaded the spare tire into the back of the Pontiac Aztec. Jilda TREVINO stated that she was to be paid \$3,500.00 to pick up the tire and transport it through the checkpoint. Jilda TREVINO also said that she was to pay Sandra MARTINEZ \$500.00 to use her car to transport the tire.

The tire contained 60 bricks of suspected marijuana totaling approximately 61.0 pounds / 27.7 kilograms.

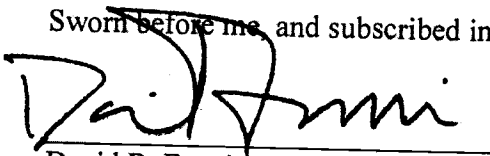
All subjects were transported to Brewster County Jail for further processing.



June 29, 2016

Justin Millican
Task Force Agent
Drug Enforcement Administration

Sworn before me, and subscribed in my presence,



David B. Fannin
United States Magistrate Judge